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## Planning Commission Study Session

**TO:** PLANNING COMMISSION

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**THROUGH:** CATHERINE LORBEER, AICP, INTERIM PLANNING MANAGER   
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**MEETING DATE:** SEPTEMBER 5, 2018

**SUBJECT:** Z18-24, LDC TEXT AMEND ELECTRONIC CHANGING MESSAGE DISPLAYS AND MARQUEE SIGNS: REQUEST TO AMEND THE TOWN OF GILBERT LAND DEVELOPMENT CODE, CHAPTER I ZONING REGULATIONS, DIVISION 4 GENERAL REGULATIONS, ARTICLE 4.4 SIGN REGULATIONS, AND THE GLOSSARY OF GENERAL TERMS AND THE APPENDIX 1 GRAPHICS, RELATED TO MANUAL AND ELECTRONIC CHANGING MESSAGE DISPLAYS UTILIZED WITH PERMANENT WALL AND MARQUEE SIGNS.

**STRATEGIC INITIATIVE:** Economic Development

The proposed amendment responds to business interest for more innovative sign types using electronic changing message displays.

### **RECOMMENDED MOTION**

No motion requested, discussion only.

## **BACKGROUND/DISCUSSION**

### **History**

<b>Date</b>	<b>Description</b>
<i>June 29, 2017</i>	Town Council adopted Ordinance No. 2619 (Z16-11), repealing and replacing in its entirety Article 4.4 Sign Regulations.
<i>August 1, 2018</i>	Planning Commission initiated a LDC text amendment (Z18-24) related to Manual and Electronic Changing Message Displays utilized with Permanent Wall and Marquee Signs and conducted Citizen Review.

### **Overview**

Businesses have recently expressed interest for more innovative sign types using electronic changing message, especially in vibrant village centers like the Heritage and Gateway Districts. These sign ideas and designs include adding scrolling text, full motion animation and video to marquee signs, and using changing message display on walls signs near business entrances. Other ideas show wall signs on parking structures that electronically adjust message content as valet and general parking resources change. Staff has also heard feedback for more sign illumination options that include using exposed bulbs in creative ways besides on marquees.

The primary goal for this effort is to adopt modifications to the LDC that support and encourage economic development, attract investment, and are receptive to ever changing technology. Any proposed LDC changes should also contribute to community values for enduring architecture and design, which includes architecturally compatible signs that positively contribute to Gilbert's unique character, aesthetic high quality environment and quality.

In response to the Town Council request for a future agenda item, the proposed text amendment will consider sign code changes that allow electronic changing message displays on building wall signs and marquee signs in specific districts. Part of the challenge is addressing community concerns about "large television screens" with full motion video streaming on the sides of buildings. Therefore, text amendment discussions will include criteria and standards related to the display, timing, transition, illumination, operation, maintenance, placement, and size calculation of such signs. Based on the Planning Commission discussion and public input, changes may be recommended to the Land Development Code (LDC) Article 4.4 Sign Regulations, the Glossary of Terms and Appendix 1: Graphics for clarity and consistency.

The proposed text amendments are shown below:

### **Proposed Zoning Code Amendment**

Chapter I Zoning Regulations, Division 4 General Regulations, Article 4.4 Sign Regulations, Section 4.404 Prohibited Signs, is hereby amended to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

#### **4.404 Prohibited Signs**

The following signs are prohibited in the Town of Gilbert unless protected by state statute, or otherwise allowed in this Article 4.4 Sign Regulations or Article 4.5012 Temporary Uses.

\* \* \*

M. Rotating Signs.

N. ~~Scrolling Signs~~. (RESERVED)

O. Signs attached or painted on trees, rocks or natural features.

\* \* \*

### **Proposed Zoning Code Amendment**

Chapter I Zoning Regulations, Division 4 General Regulations, Article 4.4 Sign Regulations, Section 4.409 Permanent Signs, is hereby amended to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

#### **4.409 Permanent Signs**

A. ***General Criteria for Lighting and Changing Message Displays Utilized with Permanent Signs.*** The following general criteria and limitations for lighting and changing message displays shall apply to Permanent Signs, where indicated.

1. ***Lighting.*** The illumination of signs shall meet all regulations as set forth in the Gilbert Municipal Code, Chapter 42, Article II, Section 42-34.

a. Except for Changing Message Displays and Marquee Signs, any flashing, blinking, reflective, animated, or rotating lights, or signs with an intermittent or varying intensity of artificial illumination, whether deliberate or as a consequence of a defect in the sign or the illumination source, shall be prohibited for any and all signs.

b. Exposed LIGHT SOURCES SUCH AS NEON TUBE, incandescent, light-emitting diode (LED), fluorescent, metal halide, high- or low- sodium bulbs, or mercury vapor light sources ~~shall not~~ MAY ONLY be used as a source of illumination ~~except for Marquee Signs~~ FOR COMMERCIAL USES IN COMMERCIAL, HERITAGE VILLAGE CENTER, AND GATEWAY VILLAGE CENTER ZONING DISTRICTS. THE EXPOSED NEON TUBE OR BULBS MUST BE DECORATIVE FEATURES CONSISTENT WITH THE SIGN DESIGN AND COMPATIBLE WITH THE ARCHITECTURAL CHARACTER OF THE BUILDING. EXPOSED NEON TUBE OR BULBS SHALL BE PROPORTIONALLY SIZED. EXPOSED NEON TUBE OR BULB TYPE ILLUMINATION MAY BE SUBJECT TO ADMINISTRATIVE APPROVAL OF A COMPREHENSIVE SIGN PROGRAM, MASTER SIGN PLAN OR HERITAGE SIGN PLAN, WHICH MUST BE BASED UPON CONTENT NEUTRAL OBJECTIVE CRITERIA AND AS SET FORTH IN SECTION 5.602B.1 ADMINISTRATIVE DESIGN REVIEW. All light sources shall be shielded to prevent illumination trespass onto properties other than where the light source is located. EXPOSED NEON TUBE OR BULB TYPE ILLUMINATION IS PROHIBITED IN ALL

## OTHER ZONING DISTRICTS.

- e. ~~Exposed neon tube type illumination may only be used for commercial uses in Commercial and the Heritage Village Center Zoning Districts, subject to administrative approval of a Comprehensive Sign Program, Master Sign Plan or Heritage Sign Plan, which must be based upon content neutral objective criteria and as set forth in Section 5.602B.1 Administrative Design Review. Exposed neon tubing shall be appropriately sized. Exposed neon tube type illumination is prohibited in all other zoning districts.~~
- d. Sign Illumination.
  - (1) Permanent Sign on a parcel in residential use: With the exception of an identification sign at the entrance of a residential subdivision, a Permanent Sign located on a parcel in a residential district may not be separately or specially illuminated, unless otherwise specified in this Article.
  - (2) Permanent Sign on a parcel in nonresidential use: A Permanent Sign on a parcel in a nonresidential use may be illuminated by internal illumination, internal indirect (halo) illumination, or lit by external indirect illumination, unless otherwise specified in this Article; however, a Permanent Sign may not be illuminated in a manner that leaves the illumination device AND/OR COMPONENTS exposed to public view except with the use of neon tubing OR DECORATIVE BULBS as provided in this Article.
  - (3) Internal illumination: Any outdoor internally illuminated sign permitted under Article 4.4 shall be constructed with an opaque background and translucent letters or other graphical elements, or with a SOLID colored background and ~~lighter~~ CONTRASTING letters or graphics.
  - (4) External indirect illumination: Externally lit signs are permitted to be illuminated only with steady, stationary, directed, and shielded light sources directed solely onto the sign. Light bulbs or tubes (excluding neon TUBE AND DECORATIVE BULBS) used for illuminating a sign shall not be visible from the adjacent public rights-of-way and residential properties.
  - (5) Illumination of signs adjacent to single-family residential uses: No sign located within fifty (50) feet of a single-family zoning district shall be internally illuminated.

2. *Manual Changing Message Displays.* One-half (1/2) of the area of the face of a Freestanding Monument or Marquee Sign may be a manual Changing Message Display, subject to the criteria and limitations of this Article.
3. *Electronic Changing Message Displays.* AS PROVIDED IN THIS ARTICLE, WALL-MOUNTED CABINET SIGNS, MARQUEE, FREESTANDING MONUMENT, TOWER AND FREEWAY SIGNS MAY BE AN ELECTRONIC CHANGING MESSAGE DISPLAY ~~The entire Sign Face of a Freestanding Monument, Tower Sign, and Freeway Sign may be an electronic Changing Message Display if said sign is located within a zoning district where Freestanding Signs are allowed except INfor residential zoning districts and subject to the following operational limitations. For non-residential uses in residential zoning districts, one-half (1/2) of the Sign Face of a Freestanding Monument Sign may be an electronic Changing Message Display, subject to the following operation limitations:~~
  - a. Display: An electronic Changing Message Display may be in full color.
  - b. Minimum Display Time: An electronic Changing Message Display shall not change more than once every eight (8) seconds.
  - c. Transition Method: An electronic Changing Message Display shall change by an instant change method EXCEPT IN COMMERCIAL, HERITAGE VILLAGE CENTER AND GATEWAY VILLAGE CENTER ZONING DISTRICTS WHERE UNLIMITED MOTION IS PERMITTED.
  - d. Illumination Levels: An electronic Changing Message Display shall incorporate photocell/ light sensors, with automatic dimming technology that appropriately adjusts to ambient light conditions AT ALL TIMES OF THE DAY AND NIGHT. Displays shall have a brightness level of no greater than 0.3 foot candles above ambient light conditions AT THE PROPERTY LINE as measured by foot candle meter.
  - e. Maintenance: Any allowed electronic Changing Message Display that malfunctions, fails, or ceases to operate in its usual or normal programmed manner shall be repaired or disconnected within forty-eight (48) hours by the owner or operator of such sign.
  - f. ~~Static messages: When visible from public streets or public rights of way, an electronic Changing Message Display shall be by way of static messages.~~

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### **Proposed Zoning Code Amendment**

Chapter I Zoning Regulations, Division 4 General Regulations, Article 4.4 Sign Regulations, Section 4.409 Permanent Signs, is hereby amended to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

#### 4.409 Permanent Signs

\* \* \*

- B. *Type of Permanent Signs.* The following types of permanent signs are allowed in one or more of the Town of Gilbert's zoning districts, as more specifically set forth in 4.409.B.1. through B.25. below.

\* \* \*

10. *Wall-Mounted Cabinet Signs.* Permanent Wall-Mounted Cabinet Signs are allowed in non-residential zoning districts and shall be stylized in shape, rather than rectangular, to reflect the shape of the image printed on the Sign Face or the molded Sign Face, with embossed copy or sign copy or sign copy in relief. CABINET SIGNS WITH AN ELECTRONIC MESSAGE DISPLAY MUST BE ARCHITECTURALLY INTEGRATED WITHIN THE BUILDING DESIGN AND MOUNTED FLUSH WITH THE BUILDING WALL PLANE OR BUILT INTO A CANOPY FASCIA. IN THE HERITAGE VILLAGE CENTER AND GATEWAY VILLAGE CENTER ZONING DISTRICT, WALL MOUNTED CABINET SIGNS WITH ELECTRONIC CHANGING MESSAGE DISPLAYS MUST NOT EXCEED FIFTY (50) PERCENT OF THE SIGN AREA ALLOWANCE SET FORTH IN SECTION 4.409.B. This provision does not apply to Canopy Signs for Service Islands regulated in Section 4.409.B.25, but this provision does apply to Projecting Signs and Projecting Roof Signs.

\* \* \*

23. *Marquee Signs.* In Commercial Zoning Districts and the Heritage Village Center District, a Marquee Sign may be located on a marquee that is approved by the Planning Commission or the Redevelopment Commission as applicable as part of a Design Review application, a Comprehensive Sign Program, Master Sign Plan or Heritage Sign Plan. A Marquee Sign shall only be affixed on a marquee located at the primary entrance of the tenant/user suite to which it is appurtenant. The Sign Area of the Marquee Sign, together with the Sign Area of any other allowed lawful and permitted signs for the same building, shall not exceed the limitation for the Sign Allowance Area set forth in Section 4.409.B. The colors, materials, and design of a Marquee Sign shall complement the design of the building(s) which it serves. A Marquee Sign may be internally or indirectly illuminated. ~~Marquee Signs shall not be visible from adjacent residential properties.~~ A Marquee Sign may include a manual OR ELECTRONIC Changing Message Display THAT IS PROPORTIONAL AND ARCHITECTURALLY INTEGRATED WITH THE MARQUEE STRUCTURE AND BUILDING DESIGN ~~and sign copy shall only be changed manually. Electronic or mechanical sign copy change is prohibited.~~ A Marquee Sign shall not obstruct sidewalks, required accessible paths of travel, or the visibility of other signs. Lighting fixtures shall be decorative and architecturally compatible with the building, and a marquee sign may incorporate flashing or blinking elements within the permitted Sign Area. Recommended Guidelines for appropriate design, materials, and color of fixtures and the appropriate flashing and blinking frequency within the Heritage Village Center District are set forth in the Heritage District ~~Redevelopment Plan~~ DESIGN GUIDELINES.

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**STAFF RECOMMENDATION**

No motion requested, discussion only.

Respectfully submitted,

Amy Temes  
Interim Principal Planner